

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES ZIMMERMAN, PHILIP CULHANE,
DAVID HILTBRAND, WILLIAM JACKSON,
GEORGE ZAROU, JOHN JOSEPH
PAGGIOLI, "JOHN DOE II," "JOHN DOE III,"
and "JOHN DOE IV,"

Plaintiffs,

- against -

O R D E R

POLY PREP COUNTRY DAY SCHOOL,
WILLIAM M. WILLIAMS, DAVID B.
HARMAN, AND VARIOUS MEMBERS OF
THE POLY PREP BOARD OF TRUSTEES,
WHOSE NAMES ARE CURRENTLY
UNKNOWN AND THUS DESIGNATED AS
"JAMES DOES I-XXX,"

09 CV 4586 (FB)

Defendants.

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On August 27, 2010, the Court So Ordered a Stipulation and Sealing Order stating that counsel for "the parties will file under seal any pleadings, correspondence and supporting papers that contain Confidential information or Confidential - Attorneys' Eyes Only information subject to the Protective Order," which was So Ordered by the Court on July 13, 2010. By Order dated June 7, 2011, the Court reminded the parties that

this Sealing Order was, for the most part, intended to protect the identities of the abuse victims in this case who wished to remain anonymous. The Sealing Order only applies to documents that contain confidential information and to documents for which good

cause can be shown for the Court to Order that they be filed under seal. All other documents must be filed electronically on the Electronic Case Filing System ("ECF"), as required by the Local Rules of the Eastern District of New York.


In the June 7, 2011 Order, the Court also Ordered that "[i]f the parties wish to file a particular document under seal, or request that certain portions be redacted, a letter application must be submitted to the Court, showing good cause for filing the document under seal, explaining what confidential information is contained in the document, and indicating why redaction of certain information would or would not be sufficient." The parties in this action have failed to comply with this Court's Order, instead attempting to file nearly all documents under seal without making any letter request to the Court showing good cause for sealing and seemingly without any attempt to redact confidential information. The parties are advised that enclosing a sealing cover sheet with documents filed with the Court will not suffice; it is the filing party's burden to show cause why the document requires sealing. The parties are also reminded that the purpose of the Court's Sealing Order was not to prevent public disclosure of the majority of the documents filed, but rather to conceal the identities of abuse victims who wish to remain anonymous.

In light of the parties' complete disregard for the Court's June 7, 2011 Order, on December 16, 2011, the Court will order unsealed and regularly docket on ECF all documents filed between July 27, 2011 and December 9, 2011, the date of this Order, unless, on or before December 16, 2011, the filing party: (1) submits a letter to the Court showing good cause why sealing is required, or (2) files a redacted version of the document on ECF, redacted only insofar

as it is necessary to protect victims who wish to remain anonymous by removing identifying information.

SO ORDERED.

Dated: Brooklyn, New York
December 9, 2011


Cheryl L. Hollak
United States Magistrate Judge
Eastern District of New York